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Patent #85 263/028 #9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

4-5-02

In re the Application of:

Laity et al.

Serial No.: 09/534,888

Filed: March 24, 2000

For: NE

NETWORK COMMUNICATIONS

SYSTEM

Group Art Unit: 2739

Examiner: Not Yet Assigned

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APR 0 5 2002

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

OC-106113.1

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

March 19, 2002 Date of Deposit

Daniella Doss

| | | However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below. |
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| | | However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required. |
| | | OS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office |
| | | nerits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance |
| under . | □ □ | § 1.311. The fee due under 37 CFR § 1.17(p) is submitted herewith. |
| | | A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below. |
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| 0401111 | | STATEMENT UNDER 37 CFR § 1.97(e): |
| | Each it | em contained in this IDS was first cited in any communication from a foreign patent |
| office i | n a cou | nterpart foreign application not more than three months prior to the filing of this IDS. |
| | No iter | n contained in this IDS was cited in a communication from a foreign patent office in a |
| counte | rpart foi | reign application, and, to the knowledge of the person signing this statement after |
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The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. 12-2475.

Respectfully submitted, LYON & LYON LLP

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

Dated: March 19, 2002

By:

Michael J. Bolan Reg. No. 42,339

Attorneys for Applicants

22240

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Substitute for form 1449A/PTO Complete if Known 09/534,888 **Application Number** INFORMATION DISCLOSURE March 24, 2000 Filing Date STATEMENT BY APPLICANT First Named Inventor Laity et al. 2739 Group Art Unit (use as many sheets as necessary) Examiner Name Not Yet Assigned 263/028 Attorney Docket Number Sheet

| OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS | | | | | | | |
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